under 35 U.S.C. §103(a) as being unpatentable in light of the teaching of ***GB 922,459*** when taken in view of the disclosure of ***Wu et al.*** **(US 5,338,814).**

The Examiner points out that ***GB 922,459*** teaches a process for grafting vinyl esters on polyalkylene glycols in the presence of a free-radical forming initiator and argues that it would have been obvious to a person of ordinary skill to modify the process of ***GB 922,459*** as is necessary to arrive at applicants' process because ***Wu et al.*** disclose a process for the polymerization of polyvinylpyrrolidone in which PEG-300 is employed as a chain transfer agent. The Examiner argues in particular that a person of ordinary skill in the art would have been motivated to make the requisite modification because of the expectation that the molecular weight distribution of the graft copolymers addressed in ***GB 922,459*** would be controlled and reduced, and that a termination of the polymerization reaction due to viscosity buildup would be avoided.

Applicants herewith present a declaration of Dr. Angel in which Dr. Angel addresses why the Examiner's argument is not deemed to reflect the position taken by a person of ordinary skill in the art. As emphasized by Dr. Angel, the teaching of ***GB 922,459*** relates to a graft copolymerization which is -although conducted in a solution formed by the starting materials- not normally regarded as a "solution polymerization" whereas the disclosure of ***Wu et al.*** addresses a solution polymerization. Dr. Angel also explains that the differences between the reaction conditions and the starting materials which are employed according to the teaching of ***GB 922,459*** and the disclosure of ***Wu et al.*** do not allow a conclusion as to how the chain transfer agent of ***Wu et al.*** would affect the graft copolymerization taught in ***GB 922,459***. It is deemed to be particularly noteworthy in this context that Dr. Angel points out that a person of ordinary skill would reasonably expect that an agent which provides for a chain transfer reaction in the solution polymerization of polyvinylpyrrolidone disclosed by ***Wu et al.*** would interfere with a graft copolymerization as taught by ***GB 922,459***.

It is further respectfully noted that ***GB 922,459*** contains nothing which would suggest or imply that a control of the molecular weight distribution -or low molecular weight- of the graft copolymers of vinyl esters on polyethylene glycols taught in ***GB 922,459*** is desirable or conveys desirable properties to the graft copolymer. Nor is

there anything in the teaching of ***GB 922,459*** which suggests or implies that the graft copolymerization reaction is prone to be terminated due to viscosity buildup in a manner which can be compared to the problems which are encountered when N-vinylpyrrolidone is polymerized in aqueous solution. As such, a person of ordinary skill in the art was not motivated to seek out means which control the molecular weight distribution of the graft copolymers taught by ***GB 922,459*** and/or to seek out means which address viscosity buildup in the graft copolymerization.

In light of the foregoing and the attached, the Examiner's position is, therefore, not deemed to be well taken. It is respectfully requested that the rejection of Claims 1 to 3 and 10 based on the teaching of ***GB 922,459*** and the disclosure of ***Wu et al.*** be withdrawn. Favorable action is solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

/HBKeil

Herbert B. Keil

Reg. No. 18,967

1350 Connecticut Ave, N.W.
Washington, D.C. 20036
(202) 659-0100

Encl.: Dr. Angel's Declaration dated September 30, 2004

HBK/BAS